

Executive Committee Meeting Minutes – Monday, April 5, 2004

Chairman Dwyer called the meeting to order at 8:30 a.m. and led the committee in the Pledge of Allegiance.

Present: Chairman James Dwyer, County Board Supervisors Patricia Haukohl, Kenneth Herro, Walter Kolb, Richard Manke, Duane Paulson and Duane Stamsta. Supervisor Herro left the meeting at 10:40 a.m. Supervisor Manke left the meeting at 11 a.m.

Staff Present: Chief of Staff Lee Esler, Legislative Policy Advisor Dave Krahn, Legislative Policy Advisor Mark Mader, Office Services Coordinator Windy Jicha.

Also Present: Representative Anne Nischke, Representative Sue Jeskewitz, Budget Specialist Linda Witkowski, Treasurer Pam Reeves, Internal Audit Manager Lori Schubert, Attorney Vincent Moschelle, Principal Assistant Corporation Counsel Debbie Price, Freeman Reporter Dennis Shook, Supervisor Rodell Singert, County Clerk Kathy Nickolaus, Supervisor Hank Carlson, Senior Financial Analyst Clara Daniels, Chief of Staff Allison Bussler, Milwaukee Journal Sentinel Reporter Scott Williams, Barbara Ptaschinski, Mark Wiggums of Outagamie County.

Correspondence

Chairman Dwyer reviewed and distributed the list of correspondence. He said Supervisors should request copies of the listed items from Jicha.

Approval of Minutes

MOTION: Stamsta moved, Kolb second, to approve the minutes of the March 22, 2004 Executive Committees meeting as amended. **Motion carried:** 7-0.

Discuss Tax Payer Bill of Rights and Other Legislative Issues with Representatives Jeskewitz and Nischke

Nischke said she signed onto the TABOR bill early on to respond to constituents. The constituents were concerned about taxes. She has concerns about the reliance on the Colorado system. We need to “Wisconsinize” the bill. There will be meetings before the completed product is released. They need our input and support. There’s a need for a bill to come forward. She is in favor of putting a cap on spending but recognizes the need for input from local officials. They met with municipal representatives last month and wouldn’t move forward without input from counties.

Dwyer said a constitutional amendment is way too severe for dealing with this issue. It seems like a way to get around Governor Doyle. As a constitutional amendment, you are locking yourself into changes to the state constitution. On March 30th, local units of governments were invited to Madison to meet with Senate leadership for an open-ended discussion. Norm Cummings represented Waukesha County.

Representative Jeskewitz said she thinks this is moving too fast. We need to bring everyone to the table to discuss the issues. This doesn’t need to be a constitutional amendment. Colorado is having lots of problems with TABOR. She went to some of the meetings to discuss TABOR but doesn’t know where we are right now. We haven’t had a caucus to discuss this and it isn’t right. This is not the correct way to go about it. Any discussion about TABOR must include an honest debate about tax cuts and inevitable service cuts.

Manke said he is amazed of what is coming out of Madison. Taxes have increased. When you talk about freezing government spending, he hasn’t heard what anyone is going to cut. They talk about cutting but what are you going to cut? When you give something to someone, you take it away from someone else.

Krahn said regarding TABOR, the fact is you can’t just look at the tax side of the equation. It isn’t a fair debate. You can cut taxes anytime. If you cut taxes, you have to cut services. You get to a point where you don’t have much fat, you are down to the bone and there isn’t much to cut. In terms of being positive, what is

wrong with the fiscal operations of Wisconsin? The tax structure is outdated and no longer fair. It seems that TABOR will lock that into place. How do you get at the tax structure and who should pay for services? There are services the county provides that we are happy to provide but we need to look at what is the best way to pay for them? Let's look at the whole tax structure and look forward 200 years.

Nitschke said the public doesn't show up for budget meetings. She knows people want lower taxes. She thinks the atmosphere for cutting taxes is not just in the legislature. How do we make everyone happy? We can't be all things to everyone. The public climate right now favors tax cuts.

Krahn said there were examples of the legislature and the governor working together in the last session. It is important for the legislature to bring the governor into discussions. Nitschke said she hasn't seen signals that the governor wants to discuss TABOR.

Paulson said he doesn't get many calls from people about cutting taxes. Historically, he has gotten lots of calls whenever there are golf course and historical society issues. Very few people call to talk about cutting taxes. You are painting everyone with the same brush. There have been hard decisions made in this county to cut taxes. It is a balancing act. Doyle came into office with a \$4 billion debt. Any governor would have to deal with this.

Haukohl said she read the article on TABOR this morning. What bothers her, as an elected official, is that it is a threat. If you don't support this, you will have to pay for it at the next election. She doesn't get calls on cutting taxes. Haukohl doesn't think TABOR is right for Wisconsin. It needs to be modified for our state. If you want TABOR to go through, you must have in your mind what services you would like cut. What should be cut?

Jeskewitz said she doesn't want TABOR in Wisconsin to be like it is in Colorado.

Haukohl said a group of County Board Supervisors brought forth a resolution to freeze taxes. One of the reasons it didn't move forward was that the group didn't have any ideas on what they wanted cut from the budget. If you want TABOR, what services do you want cut or changed in Wisconsin?

Jeskewitz said we don't know what's in TABOR because we haven't seen it yet. She hopes there will be a caucus called in the next few weeks to discuss it.

Stamsta said he agrees with Haukohl. The party has done a terrific job educating people about the need to cut taxes but no one person has said what they want to cut. We need to educate them on what things would be eliminated if taxes are cut. In all the campaign calls he made, only one person asked what services would be cut. People did not bring up this issue.

Herro said we have been talking to state leadership for quite some time about an ever-growing deficit. The discussion is about jobs, quality of life and education. We need to focus our energies in places other than tax cuts. We need to look at creating jobs. We need to spend money to provide services that people expect. People want lower taxes. The big problem in Wisconsin is the high cost of health care.

Nitschke said she was disappointed they didn't get to vote on the bill that offered insurance through consolidated services such as chambers of commerce.

Carlson said he called on 2,000 homes for his campaign. Three people asked him about tax cuts.

Herro said we have to stop fractionalizing how we do business. We need to talk and work together. How are we going to provide services at a reasonable cost? There is not a lot of fat in government. It is hard to lower taxes. Nischke said we need to keep in touch and discuss things.

Kolb said the most basic and fair way to calculate tax is the cost of living plus growth. He doesn't think there is any difference in principle when it comes to making a budget for a family or government. Families and businesses can't raise taxes in order to make ends meet. They can't continue to spend at the same rate and expect to get more money. He hears that we have to balance the budget.

Krahn said Senator Panzer met with county folks to talk about TABOR. She asked what can we do to cut cost. We are in support of consolidation to save money.

Dwyer said Jeskewitz chaired a committee that toured the state looking at the direction of the technical college system. Jeskewitz said she asked to chair this committee because she is concerned that the technical system boards are taxing without representation. In Door County, they are being hit hard with the technical college tax. They put together a committee comprised of people from around the state and discussed the issue of taxation. One of the things that came out of this was that Katherine Lyle sat down and worked out a means with the technical colleges to the transfer credits from the technical system to the UW system. Representatives from the university system were there for all the meetings. The committee came together for a review and told the university system about credit transfers between the schools. They were told to either do something or there would be a state bill to address this. We are the only state that allows college professors to decide if credits are transferable. They told Katherine Lyle they want to see standards so credits from classes such as English 101 transfer to all UW schools. She will send the committee's recommendation to members of the Executive Committee.

Paulson asked why are health care costs so much higher in southeastern Wisconsin than anywhere else? Jeskewitz said there's a hospital on every corner. Paulson said he wants to find out why the costs are so high. Jeskewitz said hospitals are advertising on TV and there are specialty hospitals for every problem. This is increasing costs.

Herro said he's worried we will make the technical schools into real colleges. The young adults who don't want to go to college should be tooled with expertise to make them competitive. Let's teach them trades. Jeskewitz said there are hobby courses at the technical schools that don't charge appropriate rates. She wants to know what the hobby classes cost and what you get out of them. The costs have to be broken down. Jewelry classes shouldn't be taught at WCTC.

Stamsta said in the 1970's there was a commission that controlled hospital costs to a degree. It worked well to control costs and the duplication of services.

Discuss and Consider Ordinance 158-O-164: Repeal and Recreate Section 7-99 of the Waukesha County Code of Ordinances

MOTION: Herro moved, Haukohl second to approve 158-O-164: Repeal and Recreate Section 7-99 of the Waukesha County Code of Ordinances.

Witkowski said this ordinance updates the code definitions to make them consistent with the budget book regarding fixed assets. We want to change the code so there are no actual amounts listed in the code but instead the code will refer to an amount approved by the Finance Committee and found in the budget book and CAFR.

Paulson asked if you don't have an amount listed, how do you get to something that is an asset that is more than pencils? Witkowski said there won't be an amount in the code but it will refer to the amount approved by the Finance Committee and found in the budget book. Currently \$5,000 is listed in the budget book. This ordinance will update the code and reference it to the Finance Committee's prescribed amount for a fixed asset.

Esler said it is easier to list the dollar amount in the code rather than the verbiage found in this ordinance. This seems to be a means to save work and not change the code when the Finance Committee changes the amount but since this amount changes every ten years or so, it doesn't seem like much work to update the code. If you adopt this ordinance there has to be an amount established by the Finance Committee. The amount could be any amount and changing the amount could be a perpetual item on the Finance Committee agenda. He agrees with not having to make changes to the code every time dollar amounts change but this is a larger policy issue of listing dollar amounts or streamlining it to not list actual amounts.

Haukohl asked aren't you opening this up to more areas that are more nebulous? Fixed assets don't change frequently. The Finance Committee has different members every two years and the amount could keep changing. She wants to see the amount listed in the code.

MOTION: Haukohl moved, Paulson second, amend lines 17, 19-21, 38-39 and 42-43 of Ordinance 158-O-164 to reflect dollar amounts as in the current code except change \$1,000 to \$5,000. **Motion carried:** 7-0.

ON THE ORIGINAL MOTION as amended: 7-0.

Discuss and Consider Ordinance 158-O-165: Repeal and Recreate Waukesha County Code Provision Pertaining to Sale of Tax Deeded Property at Appraised Value

MOTION: Haukohl moved, Stamsta second to approve 158-O-165: Repeal and Recreate Waukesha County Code Provision Pertaining to Sale of Tax Deeded Property at Appraised Value.

Reeves said this is the follow-up ordinance to the sale of tax-deeded property issue she discussed with the committee several weeks ago. Reeves read through the ordinance. This ordinance amends the county code to incorporate new statutory provisions adopted in the Wisconsin Act 123 Wisconsin Statutes pertaining to the sale of tax delinquent property. According to Reeves, the new provisions should streamline the tax deed sale process especially in situations where the total assessed value of tax-deeded property for sale is less than \$5,000. Based on recent years' sales of tax deeded property with assessed value of less than \$5,000, the cost saving from no longer requiring a certified appraisal is nominal at less than \$1,000.

Reeves said this ordinance goes above and beyond state requirements. Annually there are three to six properties that have values less than \$5,000 and would need to go before the Executive Committee for approval. This ordinance gives the county leeway to assign remnant properties a cost that the neighbors are willing to pay. It also gets the properties back on the tax rolls and rids the county of liability. She will provide recommended prices for the properties when they come before the Executive Committee.

ON THE MOTION: Motion carried: 7-0.

Chair Comments

Dwyer thanked the committee for their dedication, efforts and leadership on the County Board during the last few years.

Supervisor Herro left the meeting at 10:40 a.m.

Discuss and Consider the Scope of the Highway Audit

Schubert said they will be auditing the Engineering Services Division of the Department of Public Works. The division administers the design and construction of county trunk highways and bridges. Tasks performed by the division include planning of the project, selection of contractors (for design and construction management services), performing in-house design services, awarding and administering the contracts and acquiring necessary right-of-way. Schubert asked the committee members if they had any specific ideas or suggestions of items they would like to see audited.

Dwyer said one thing we've seen recently is a difference in cost estimates versus actual project costs. For quite some time, we were over-estimating projects. Lately, it seems like projects come back to the County Board for more money. He can understand that a five- to ten year capital plan will have cost differences but there is a way to add inflationary increases.

Stamsta said he wants the audit to look into scope changes. Haukohl said she wants them to look into reasons for cost changes.

Manke said he would like staffing levels for the entire division evaluated. Schubert said they hadn't intended to look into that issue. Manke said if we cut down on the number of projects, do we have enough work for all staff? Dwyer asked how much of the work is outsourced? Esler said the staffing issues of the Engineering Division are important. Esler said the audit should investigate whether or not hiring staff is more or less economical than outsourcing the work.

Schubert said her goal is to finish the audit by the time the capital plan is released in July.

Stamsta said there should be an evaluation of what is done in-house versus outsourced.

Esler said Public Works Manager Gary Evans recently informed the Public Works committee about the amount of time involved in the review of permits. Esler didn't ask if the time study included developers' agreements. How much will developers pay for county highway improvements? There are access issues that are not connected with capital projects. The audit should investigate which road improvement projects are brought to committees and which are not. There are large, on-going improvement projects in the county that are part of the developers' agreements that are not brought before committees.

Dwyer said he would like the committee to give authorization to go forward with the scope of the audit from the suggestions made today. Schubert should also work with Esler on ideas for the scope. Schubert said she would send a memo to the committee members summarizing the committee's suggestions. The committee came to consensus on this issue.

Legislative Update

Krahn went through the legislative chart. There are three bills (AB50, AB 613 and SB 71) being signed by the governor tomorrow in Racine. The governor plans on signing more than 100 bills today and tomorrow.

MOTION: Manke moved, Haukohl second, to allow Secretary Duane E. Paulson to approve the final set(s) of committee minutes on behalf of the Executive Committee. **Motion carried:** 6-0.

Supervisor Manke secluded himself at 11 a.m. from the following agenda item for personal reasons.

Motion to go into Closed Session under Sec. 19.85(1)(a), Wis. Stats., for the Committee to Deliberate the Decision on the Appeal of Child Care Certification Revocation Hearing for Barbara Ptaschinski and to Approve the Closed Session Minutes of March 22, 2004

MOTION: Paulson moved, Haukohl second, to go into Closed Session under Sec. 19.85(1)(a), Wis. Stats., for the Committee to Deliberate the Decision on the Appeal of Child Care Certification Revocation Hearing for Barbara Ptaschinski and to Approve the Closed Session Minutes of March 22, 2004. **Motion carried: 5-0.**

With no objections the committee returned to open session 11:13 a.m.

Appeal of Child Care Certification Revocation Hearing for Barbara Ptaschinski under Chapter 18, Article VI of the Waukesha County Code of Ordinances

Dwyer announced the decision of the committee. He said that for reasons listed in the written decision, the decision of the Department of Health and Human Services to revoke the child day care certification of Barbara Ptaschinski is sustained by a 6-0 vote of the Committee. He distributed copies of the decision to the attending parties.

Future Agenda Items

Dwyer asked the committee members to make a list of current items that need to be addressed by committees in the next board year.

WCA Report

Dwyer said the last meeting was held in Fond du Lac. Ed Gleason gave a presentation on inter-operability between counties and agencies in emergency situations. It was a good presentation. The group also discussed the state bill on reducing the size of county boards and Indian gaming.

Report by County Board Chair

Dwyer reported that ten members of the Criminal Justice Collaborating Counsel attended Adult Drug Court Planning Training in Lansing, Michigan. Dwyer read through training agendas and said the program was very educational. Waukesha County has a lot of work to do before we can get this program started but we are diligently working at it. There is federal funding available to start up these courts.

Standing Committee Reports

Judiciary – Stamsta said the committee reviewed the 2004 Annual Huber Inspection report. The facility passed with flying colors. The Waukesha County Communications Center (WCCC) will bring LACS into the system first on July 1 and then the Sheriff's Department on September 6. LACS are coming in first because they are short on dispatchers. The 911 system will be tested in July.

Information Management Panel – Paulson said the Panel members talked about the Health and Human Services (HHS) billing system. At the meeting he asked staff from HHS and the IS division if they needed any additional resources to get this project done. Both groups denied needing any additional resources.

Finance – Haukohl said she went through an audit report for the county. Haukohl took a copy of the Finance Committee report schedule with her to the meeting. The auditor was impressed with the way Waukesha County does things.

Land Use – Kolb said George Morris was at the last meeting and went through environmental health issues. The committee heard about general items such as restaurant safety. The bottom line is that they do an excellent job with limited staff.

Motion to Adjourn

MOTION: Stamsta moved, Kolb second, to adjourn the meeting at 11:49 a.m. **Motion carried:** 5-0.

Respectfully submitted,

Duane E. Paulson
Secretary